

REMARKS

Applicant sincerely appreciates the thorough examination of the present application, as evidenced by the Office Action of September 26, 2008. Applicant has amended independent Claim 9 to correct a typographical error and dependent Claims 10-16 to correct claim dependencies and added new dependent Claims 17-20. Applicant respectfully submits that no new matter has been added. Claims 9-20 are presently pending. Applicant respectfully submits, for the reasons explained below, that the application is in condition for allowance, which is requested.

Claim 9 is Patentable over DuFosse

Claim 9 is rejected under 35 USC §102(b) as anticipated by U.S. Publication No. 2003/0068987 to DuFosse et al. ("DuFosse"). Applicant respectfully traverses the rejection for at least the reason that DuFosse does not disclose or suggest several of the recitations of Claim 9. For example, Claim 9 recites, in part:

a mesh comprising an electrically conducting material positioned between a cover of the acoustic element and the board,
wherein the mesh is connected to the ground plane of the board to enhance the efficiency of the antenna.

In rejecting Claim 9, the Office Action states that DuFosse discloses:

[a] mesh (60) comprising an electrically conducting material positioned between the cover (39) of the acoustic element and the board (100), wherein the mesh (60) is connected to the ground plane (41) of the board to enhance the efficiency of the antenna.

(Office Action, page 3.) In contrast with the Office Action allegation, Dufosse does not disclose or suggest "a mesh comprising an electrically conducting material positioned between a cover of the acoustic element and the board," as recited in Claim 9. Instead, Dufosse merely describes "[s]eals 60, preferably made of metal." Dufosse, column 4, lines 29-30. Applicant respectfully submits that, although the seals are described as conductive, DuFosse is wholly silent regarding a mesh and/or synonymous structure thereof.

Accordingly, DuFosse does not disclose or suggest "a mesh comprising an electrically conducting material positioned between a cover of the acoustic element and the board," as recited in Claim 9. For at least these reasons, Applicant respectfully submits that Claim 9 is patentable over DuFosse, the allowance of which is respectfully requested.

Dependent Claims are Patentable

Dependent Claims 10-20 are patentable at least by virtue of the patentability of independent Claim 9, from which they depend. Additionally, several of the dependent claims are separately patentable. For example, dependent Claim 13 recites, in part, "wherein the mesh is connected to the ground plane using at least one electrically conducting springs." Applicant respectfully submits that DuFosse does not disclose or suggest "electrically conductive springs" in conjunction with any structures corresponding to the recitations of independent Claim 9, much less as applied to a "mesh," as recited in dependent Claim 13. Accordingly, Claim 13 is separately patentable over DuFosse.

Additionally, DuFosse appears to rely on a conductive portion of the acoustic element. For example, Dufosse states:

[t]he electrically conductive portion 36 of the transducer 30 complements the hole in the ground plane 41 of the antenna to incorporate the front acoustic cavity of the transducer within the cavity of the antenna. The frame 39 of the transducer can advantageously be extended to provide better electrical continuity of the ground plane 41.

(DuFosse, column 4, lines 30-36.) In this regard, recitations of new dependent Claims 17-19, which are directed to non-conductive acoustic element housing components are separately patentable over DuFosse. For example, Claim 17 recites, in part, "wherein the acoustic element comprises a non-conductive casing." Claims 18 and 19 are similarly directed to an acoustic element with a plastic casing and a non-conductive cover, respectively. Accordingly, dependent Claims 17-19 are separately patentable over DuFosse, the allowance of which is respectfully requested.

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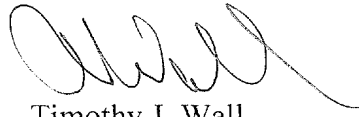
Further, dependent Claim 20 recites, in part, "wherein the mesh is connected to the ground plane via solder." Applicant respectfully submits that DuFosse does not disclose or suggest connecting "the mesh" to "the ground plane" via solder. Accordingly, dependent Claim 20 is separately patentable over DuFosse, the allowance of which is respectfully requested.

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CONCLUSION

In light of the above remarks, Applicant respectfully submits that the above-entitled application is now in condition for allowance. Favorable reconsideration of this application, as amended, is respectfully requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (919) 854-1400.

Respectfully submitted,

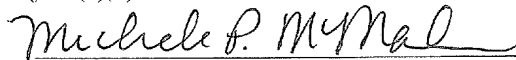


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CERTIFICATION OF TRANSMISSION

I hereby certify that this correspondence is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4) to the U.S. Patent and Trademark Office on November 18, 2008.



Michele P. McMahan